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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,301	11/20/2003	Mazen Faraj	CA920030063US1	9790

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IBM CORPORATION (VE)
C/O VOLEL EMILE
P. O. BOX 162485
AUSTIN, TX 78716

EXAMINER	
WOODS, ERIC V	

ART UNIT	PAPER NUMBER
2628	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/718,301	FARAJ, MAZEN	
	Examiner	Art Unit	
	Eric Woods	2628	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 23-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 23-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/1/2006 has been entered.

Response to Arguments

Applicant's arguments, see Remarks pages 1-5 and claim amendments, filed 5/1/2006, with respect to the rejection(s) of claim(s) 1-22 under 35 USC 103(a) have been fully considered and are persuasive.

Applicant canceled claims 2-22 and added claims 23-39.

Therefore, given the substantial amendments to claim 1, the rejection of claim 1 under 35 USC 103(a) has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of various references as below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 28, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pajak et al (US 5,388,196) in view of Bartram et al (US PGPub 2004/0019640 A1).

As to claims 1, 28, and 34, (method, CPP, system)

A method of interacting with local and remote data objects in a distributed data processing system, comprising: (Bartram abstract, title)

-Determining whether one remote system in the distributed data processing system and a local system have a data object in common; (Pajak 8:4-50, 18:48-19:20, Pajak Figs. 3-6 show very clearly a file structure, which again as stated above must be inherent for a local file system, better illustrated in Fig. 7. Specifically, in Fig. 14 it is shown some files are local and some are remote as indicated by the locations shown on the chart. Clearly, objects are shown in the same viewer regardless of their location, but as shown in Fig. 14, objects are very clearly shown with different borders based on where they reside, e.g. as in 16:40-17:15, more details 17:16-19:10 where it is clearly stated the objects that are stored remotely have black borders as shown in Fig. 14)(Bartram clearly teaches that the locations of objects on various parts of the system are known, such that if local and remote copies of a file exist, they are tagged (for example, see the

caption in the upper right portion of Figure 3 concerning the owner and date for each file –notation 2). Further, the system shows that the user can copy a file remotely, and that any time a file is shared between users (local and remote copies), the system updates (notation 1) – upper left corner Figure 3 ("Remote objects are reflected as references. If the user has a local copy of the file, the system indicates that there is a copy of the file in the local user space as well." – notation 4). [0016])

-Displaying on the local system, if it is determined that the remote system in the distributed data processing system and the local system have a data object in common, the data object as a hybrid data object, the hybrid data object representing both the data object on the local system and the remote system; (Pajak 18:48-19:20 teaches that icon clearly shows that files can be local on a small terminal or still on the server, where clearly it would thusly serve as a 'hybrid icon'. Pajak Figs. 3-6 show very clearly a file structure, which again as stated above must be inherent for a local file system, better illustrated in Fig. 7. Specifically, in Fig. 14 it is shown some files are local and some are remote as indicated by the locations shown on the chart. Clearly, objects are shown in the same viewer regardless of their location, but as shown in Fig. 14, objects are very clearly shown with different borders based on where they reside, e.g. as in 16:40-17:15, more details 17:16-19:10 where it is clearly stated the objects that are stored remotely have black borders as shown in Fig. 14.)(Bartram clearly indicates the existence of a shared item with multiple versions with the 'ref' icon on the left and the like, which could be qualified as a 'hybrid icon' [0016, 0007-0009, 0018], the 'C' icon and the like)

-Enabling a user on the local system to perform an action on the hybrid data object by first selecting the hybrid data object; (Pajak 10:28-60, Users clearly select objects and icons using mouse 30 and/or keyboard 25 in Figure 1, list of actions as in the cited portion)(Bartram clearly teaches that the user selects the object [0009] as an example)
-Prompting the user, when the user selects the hybrid data object, to indicate whether the action is to be performed on the local data object, the remote data object or both the local data object and the remote data object; and (Pajak clearly teaches the recited limitation, because as stated above, operations depend entirely on the context in which they are executed, including permissions (e.g. the user's access to the server may be read-only so that the user can download a copy of the object, but not execute or write to the remote directory – see 8:35-65 for proof this is well known in the art). First of all, clearly as taught in the rejection to claim 1, Pajak teaches that in 16:48-17:3 that when an object is on the Workstation Shared Book and it is locked by the user and opened, a copy will be created locally and will be shown on the desktop as being local, locked (by the user), and more recent than the version on the server. It would be obvious that if a user created a file in the Workstation Shared Book that such a file would have no content and thusly should be locked by the user who created it until a version is ready to be uploaded in order to maintain consistency in the database, which Pajak is very concerned with (for example, in the Cedar File System, from PARC –which Pajak worked at – various different mechanisms to maintain consistency were used. See attached reference). Since maintaining truth in the Workstation Shared Book is the primary goal of this reference, it would be logical as stated before to have the file locked

to its creator until the creation is completed. Obviously, such an object would be shown in the viewer upon creation as explained above.)(Bartram [0008] clearly teaches that the teaching that, under user control, reconciling a local object with a remote object referenced in the shared store by deciding how to reconcile conflicts by replacing a local or a remote object, or using an application to merge changes appropriately, then removing a local object as desired. Further Bartram teaches that objects are copied to and from the shared store, where such operations are not automatic and are under user control [0007]. More details are in [0015-0023], but the user can act upon those files, where the user selects which version is acted upon. Users can add files from local to remote [0035-0036], remove or delete documents [0038-0042], and the like, where working with different versions is taught [0050-0055] as is changing and reconciling multiple versions of a document [0047-0063], and the like. **Finally, note [0057-0063], where [0058-0062] represent a list of actions that the user(s) can perform upon the local and remote copies of a particular file**.)

-Performing the action as indicated by the user. (Pajak 10:28-60; that is, actions are performed by the user once the action is selected and it is determined what versions of the object will be acted upon, since updates and overwriting depends on the timestamp and the like (18:60-20:40). Next, the step of performing an action is taught as above by Pajak, since the user can obviously perform operations on the local copy of the object, and clearly all three references teach allowing the user to perform operations upon an object. Clearly the second limitation is essentially meaningless, as the user can obviously perform operations upon an object, and it would be obvious that the

operations would be limited to those that the user could perform subject to permissions and operations allowed on the native file systems of remote hosts. Motivation and combination is incorporated from the rejection to the parent claim. Clearly, the operations would be performed upon the local object, and when that version was synchronized against / uploaded to the remote database server, clearly the operation would be performed against both objects if allowed)(Bartram clearly performs actions upon the files, such as in [0017-0023, Figures 4-5, and the like], note also [0057-0063], where the agreed upon action is taken by the system [0063])

Pajak teaches a system for editing files and operating upon them, but does not make clear certain aspects of whether or not the user has the option of performing the action on the local or the remote copy (that is, if an action on the remote copy would also affect the local copy, although that would be the logical assumption). Bartram clearly teaches that it is advisable to allow the user to perform edits, additions, merges, and/or deletions on remote and local files – for example see the system in [0057-0063], and clearly the user can operate upon both remote and local versions of the file as specified above. Users can add files from local to remote [0035-0036], remove or delete documents [0038-0042], and the like, where working with different versions is taught [0050-0055] as is changing and reconciling multiple versions of a document [0047-0063], and the like. The benefits of such are described in [0009], where the bandwidth and local storage requirements are reduced.

Therefore, it would have been logical to one of ordinary skill in the art to modify the system of Pajak to allow the additional flexibility of performing these kinds of edits on files and overcoming the single-lock limitation of Pajak so that multiple users could have local copies of a file to edit without the enforced locking mechanism of Pajak to enable better collaboration for at least the reasons set forth above.

As to claim 34 specifically, Pajak teaches a computer with a processor and storage device, as shown in Figure 1, see 7:15-8:25, where computers have processors and storage devices, since they execute code and the like.

As to claims 23, 29, and 35, Pajak teaches a hybrid data icon, whilst Bartram teaches that it is beneficial to show all version(s) of the files, both remote and local, where this facilitates understanding of what versions exist and what their chronological orders are, so that the user can choose which to merge and the like, which is a capability that Pajak does not have.

As to claims 24, 30, and 36, clearly, a hybrid data object as listed above as Pajak that had both existences locally and remotely would allow users to perform certain actions against a local object (e.g. writes, changes, and other alterations). Bartram clearly teaches that users can edit, copy, merge, and perform other tasks on shared objects as discussed above. Displaying such objects in list format is well known [0042, 0010, etc], Pajak teaches command lists in 10:10-60.

As to claims 25, 31, and 37, Pajak teaches that files can only be edited when there is a local copy; therefore, Pajak teaches only showing the appropriate list of local actions when dealing with a remote object.

As to claims 26, 32, and 38, Bartram clearly teaches that the user has certain limited options with respect to a remote object, namely that they first must make a copy of it and then operate upon it. It is quite obvious that this teaching would encompass only providing remote actions to remote files when selected.

As to claims 27, 33, and 39, if an object representation exists in more than one place (e.g. the hybrid object), it would be obvious that the user should be able to determine which version(s) to modify, change, or otherwise perform changes to. For example, if a rename command were issued, it would be obvious to let the user choose which location the rename command would be applied to, because the path on the server might be important (for example, say the file was stored in a web directory as /web/foo.html with CGI scripts targeting that location and locally as foo.html; a rename operation on the web server might change the entire structure of the web site and thusly a rename operation would not be wise; therefore, determining a location would be obvious). Although the example provided is somewhat contrived, it is a good, common sense example of how paths on files (and dependencies on file names) can be very important. Again, the existence of a hybrid object necessitates fine-grained control over it for at least the above reasons. Motivation and combination are incorporated by reference from the parent claim. Note further that Bartram does allow the user to choose what operations to perform on local and/or remote copies of a file when sharing

(e.g. merges and the like), as well as options to locally delete it and globally delete it once merged and the like.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Woods whose telephone number is 571-272-7775. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eric Woods

September 3, 2006

MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600